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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,884	02/27/2002	Alin D'Silva	01-1002	2137

32127 7590 03/08/2004

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IRVING, TX 75038

EXAMINER

TAYLOR, BARRY W

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 03/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/083,884

Applicant(s)

D'SILVA ET AL.

Examiner

Barry W Taylor

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5</u> . | 6) <input type="checkbox"/> Other: ____  |

**DETAILED ACTION**

***Specification***

1. The disclosure is objected to because of the following informalities: Specification pages 1-2 contain "(fill-in-the-blanks)" which are missing.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Pub. No.: US 2002/0147811 (Schwartz et al hereinafter Schwartz).

Regarding claims 1, 10, 11 and 18. Schwartz teaches a system and method for supplying calling party information to a called party via a network comprising a telephone network, a data network, and at least one gateway device connected to both the telephone network and the data network (see figure 2 wherein calling party 14 information supplied to called party 12 via telephone network 24, a data network 22, and at least one gateway device 10 connected to both networks), comprising:

receiving by the gateway device (see 10 figure 2), via the telephone network (see 24 figure 2), signaling information representing a telephone call from the calling party (14 figure 2) to the called party (12 figure 2), the signaling information comprising called party information (see paragraphs 0004, 0025, 0036, 0044, 0046, 0047, 0048, 0049-0053, 0058-0060);

obtaining the calling party (14 figure 2) based on the signaling information; and  
providing the calling party (14 figure 2) information to the called party via the data network (22 figure 2 when voice communication proves in not wanted 0025-0026, see figure 2 wherein CTI interface used to pass caller id information from calling party 14 through data network 22 to be presented on called party 12 always on display, see instant messaging tables 1 and 2).

Regarding claims 2, 12 and 19. Schwartz shows instant message used (see always on display paragraphs 0028 and 0030, see instant messages tables 1 and 2).

Regarding claim 3. Schwartz shows public service telephone network (see 24 figure 2).

Regarding claim 4. Schwartz shows wireless telephone network (see digital cellular network paragraphs 0027-0032, see wireless telephone used in EXAMPLES starting at the bottom of page 5).

Regarding claims 5, 14 and 21. Schwartz shows providing the calling party (14 figure 2) information to the called party (12 figure 2) comprises displaying the calling

party information on a display device visible to the called party (see visual display device paragraph 0030, see visual display 16a figure 3).

Regarding claims 6, 13 and 20. Schwartz shows using switch for obtaining calling party information (see figure 2 wherein CTI interface enables switches the ability to obtain and transform received calling party information).

Regarding claims 7, 15 and 22. Schwartz teaches after CTI interface receives and translates (see rejection for claim 6 listed directly above) calling party data enabling for data network (22 figure 2) the ability to receive calling party information in data form before the calling party information is provided to an "always on" display device of the called party (12 figure 2).

Regarding claims 8, 16 and 23. Schwartz teaches instant message used (see always on display paragraphs 0028 and 0030, see instant messages tables 1 and 2).

Regarding claims 9, 17 and 24. Schwartz teaches using the instant message server (see apparatus 20 figure 2) wherein instant message server used to screen incoming calls to called party (12 figure 2, see EXAMPLE 1 starting on page 5 wherein instant message server used to verify and notify the calling party that the called party is currently in a meeting and the called party will call back after the meeting, see paragraphs 0068-0080 wherein instant message server collects calling party information (i.e. 14 figure 2) including name, number and reason for call so to be presented to called party (i.e. 16 figure 2) yielding a brief insightful summary of the inbound communication).

***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

---(6,219,413) Burg teaches called party telephony messaging using data-network (see telephony gateway 156 figure 1 interconnecting PSTN with DATA network, Burg even uses "pop-up" window that forwards caller-id information via data network---see all).

---(2002/0080942) Clapper also shows using instant message used for caller identification via using instant messaging (see paragraph 0017 wherein instant message server used to display caller id).

---(2002/0110121) Mishra uses instant text messaging used to forwarding call information, Maishr also shows PSTN and DATA, as well as, wireless (see paragraph 0023).

---(2003/0058838) Wengrovitz also teaches SIP server used to pass calling identification.

---(2004/0019638) Makagon et al also teaches gateway maybe used to pass data instead of standard PSTN network (see 303 figure 3).

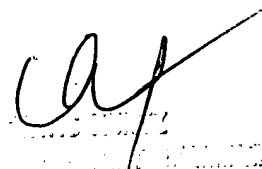
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry W. Taylor whose telephone number is (703) 305-4811. The examiner can normally be reached on Monday-Friday from 6:30am to 4pm.

Application/Control Number: 10/083,884  
Art Unit: 2643

Page 6

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (703) 305-4708. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Technology Center 2600 customer service Office whose telephone number is (703) 306-0377.

  
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